

REMARKS:

In the outstanding Office Action, the Examiner rejected claims 1 and 13-37. Claims 1, 14, 16, 19, 20, 22-34, 35 and 37 are amended herein. Claims 13, 15, 17 and 18 are cancelled herein without prejudice. Claims 2-12 remain cancelled. No new matter is presented.

Thus, claims 1, 14, 16 and 19-37 are pending and under consideration. The rejections are traversed below.

REJECTION UNDER 35 U.S.C. § 112¶2:

Claims 1, 13-24 and 26-36 were rejected under 35 U.S.C. § 112¶2 as being indefinite. As discussed below, pertinent claims are amended herein for clarification.

Support for the amendments can be found at least on page 19, lines 20-23; page 59, lines 4-9; page 70, lines 10-20; and Fig. 2 including corresponding text.

Therefore, withdrawal of the rejection is respectfully requested.

REJECTION UNDER 35 U.S.C. § 102(e):

Claims 1 and 13-37 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent Publication No. 2002/0094787 (Avnet).

The Examiner maintains the comparison of Avnet that broadcasts data of an object being viewed from a public advertisement, promotional display, other signage device, other public or private display to a personal handheld electronic device such as a PDA, a cell phone or computer (see, paragraph 6). In Avnet, a user stops in front of the billboard containing the advertisement and transmitting data in a continuous loop, and receives the transmitted message (see, Fig. 1 and paragraphs 8, 9 and 24). That is, Avnet is limited to broadcasting or generally transmitting the data to viewers in close proximity to the electronic broadcast billboard.

Independent claim 1, by way of example, recites "receiving, by the server, user-specified information about an advertisement medium person having goods on or with and a retrieval condition of goods from a portable terminal device of a consumer through a network." Claim 1 further recites, "specifying, by the server, the advertisement medium person corresponding to the received user-specified information", "advertising information of goods corresponding to the retrieval condition among goods associated with the specified advertisement medium person" and "distributing the advertising information obtained by said retrieving to the portable terminal device of the consumer via the network." Accordingly, the claimed method enables

advertisement distributing to “the portable terminal device of the consumer.” Independent claims 14, 23, 33 and 35 recite similar features.

Independent claim 20 recites, “accepting user entry of an advertisement medium person having goods on or with the person” and “storing user-specified information and a profile about the person and advertisement specified information for designation of advertising information about the goods the person has on or with.” Claim 20 further recites, “receiving user-specified information and/or a profile from a portable terminal device of a consumer”, “identifying the advertisement medium person having a matching or similar profile to the profile specified by the consumer based on user specified information of a plurality of advertisement medium persons and profiles of said persons stored in advance, and retrieving advertising information of goods associated with the person.” Claims 22 and 24 recite similar features.

Claim 25 recites, “a first portable device allowing an advertiser to enter and store advertising information therein and allowing the advertiser to wirelessly transmit the advertising information responsive to a request, said advertiser being in possession of goods identified in the advertising information corresponds.” Claim 25 further recites, “a second portable device allowing a consumer to wirelessly request the advertising information stored in the first portable device by inputting user-specified information and a retrieval condition” and displaying advertising information “corresponding to the retrieval condition via the second portable device upon wirelessly receiving the advertising information from the first portable device.”

Similarly, claim 26 recites, “receiving from a portable terminal device of a consumer a reviewing request, which contains user identifying information of persons having goods on or with said persons and goods search conditions.” The method includes “determining an advertisement medium person having user identification information corresponding to the received user identifying information”, “finding advertising information of goods conforming to the received goods search conditions” and “delivering the found advertising information to the portable terminal device of the consumer.” Independent claim 28 recites similar features.

Claim 31 recites, “receiving user identification information of a plurality of persons” and “obtaining an input of the consumer specifying a profile for selectively determining said persons.” Claim 31 further recites, “determining the advertisement medium person corresponding to the user identifying information and the profile contained in the reviewing request”, “finding advertising information of the goods associated with the determined person” and “distributing the

advertising information obtained by said finding to the portable terminal device of the consumer." Independent claim 30 recites similar features.

Claim 37 recites, "storing a predetermined advertisement on a portable terminal of a first user, said predetermined advertisement being transmitted from a provider of a product and identifying the product." Claim 37 further recites, "receiving user-specified information of the first user including a retrieval condition from a second user" and "retrieving said advertisement from the portable terminal of the first user responsive to receipt of the user-specified information and said retrieval condition from the second user and transmitting said advertisement to a device of the second user." Accordingly, the method enables "the first user to provide said advertisement on behalf of the provider of the product."

Avnet does not teach or suggest the above-identified features including determining advertisement information based on "user-specified information", "profile" and/or "a retrieval condition of goods" received from "a consumer" and distributing the advertisement information to the consumer, as taught by the claimed invention (see above detailed discussion of claims).

It is submitted that the independent claims are patentable over Avnet.

For at least the above-mentioned reasons, claims depending from the independent claims are patentably distinguishable over Avnet. The dependent claims are also independently patentable. For example, as recited in claim 19, "user information comprises user-specified information, information designating whether or not an advertisement can be distributed, a term of distribution, and information designating access destination for advertising information".

The Avnet method does not teach or suggest distributing advertising information based on receipt of "user information" including "user-specified information, information designating whether or not an advertisement can be distributed, a term of distribution, and information designating access destination for advertising information", as recited in claim 19.

Therefore, withdrawal of the rejection is respectfully requested.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.


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If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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